IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

HOWARD B. PAYNE, et al., : Case No. C-1-02-427

Plaintiffs, : (Judge Susan J. Dlott)

v. : STIPULATION OF DISMISSAL

WITH PREJUDICE

ACORDIA, INC., :

Defendant.

Pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiffs dismiss all claims with prejudice.

s/ Robert P. Mecklenborg

Robert P. Mecklenborg (0021203) Trial Attorney for Plaintiffs Hyle & Mecklenborg, Co., LPA 3050 Harrison Avenue Cincinnati, Ohio 45211 (513) 481-9800

s/ James F. McCarthy, III

James F. McCarthy, III (0002245) Trial Attorney for Defendant Katz, Teller, Brant & Hild 2400 Chemed Center 255 East Fifth Street Cincinnati, Ohio 45202-4724 (513) 721-4532

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